

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RENARD TRUMAN POLK,

Case No. 3:24-cv-00081-ART-CLB

Petitioner,

ORDER

V.

STEVEN B. WOLFSON, *et al.*,

Respondents.

This Court issued an order in this habeas action finding it is in the interests of justice to appoint counsel, *sua sponte*, to represent Petitioner, Renard Truman Polk. (ECF No. 17.) The Court gave Petitioner 30 days to object to the appointment of counsel. Petitioner did not object and the time to do so has expired.

IT IS THEREFORE ORDERED:

1. The Federal Public Defender is provisionally appointed as counsel and will have 30 days to undertake direct representation of Petitioner or to indicate the office's inability to represent Petitioner in these proceedings. If the Federal Public Defender is unable to represent Petitioner, the Court will appoint alternate counsel. Appointed counsel will represent Petitioner in all federal proceedings related to this matter, including any appeals or certiorari proceedings, unless allowed to withdraw. A deadline for the filing of an amended petition and/or seeking other relief will be set after counsel has entered an appearance. The Court anticipates a deadline of approximately 90 days from entry of the formal order of appointment.
2. Any deadline established and/or any extension thereof will not signify any implied finding of a basis for tolling during the time-period

established. Petitioner always remains responsible for calculating the running of the federal limitation period and timely presenting claims. That is, by setting any deadline, including for the appointment of counsel, the Court makes no finding or representation that the petition, any amendments thereto, and/or any claims contained therein are not subject to dismissal as untimely. *See Sossa v. Diaz*, 729 F.3d 1225, 1235 (9th Cir. 2013).

3. Respondents' counsel has entered a timely notice of appearance, but no further response will be required from Respondents until further order of the Court.
4. The Clerk of Court is directed to send a copy of this order to the *pro se* Petitioner, the Nevada Attorney General, the Federal Public Defender, and the CJA Coordinator for this division.

Dated this 5th day of December 2024.

Anne Russell Brown

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE